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April 8, 2005

TO: EXAMINER PHIRIN SAM

COMPANY: USPTO -GROUP ART UNIT 2661

FAX NO: 703-872-9306

RE: SERIAL NO. 09/604,152 OF CHARLES CALVIN BYERS FILED 6/27/2000

Our Reference No.: BYERS 38

FROM: WALTER W. DUFT, REG. NO. 31,948

NUMBER OF PAGES INCLUDING COVER SHEET: 14

COMMENTS:

PLEASE SEE THE ATTACHED TRANSMITTED PAPERS:

1. TRANSMITTAL FORM;
2. AMENDMENT AND RESPONSE TO SECOND OFFICE ACTION.

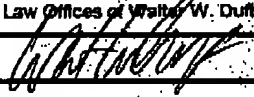
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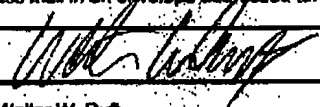
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/004,152
	Filing Date	6/27/2000
	First Named Inventor	Charles Calvin Byers
	Art Unit	2661
	Examiner Name	Phirin Sam
	Attorney Docket Number	Byers 38
Total Number of Pages in This Submission		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Law Offices of Walter W. Duft		
Signature			
Printed name	Walter W. Duft		
Date	April 7, 2005	Reg. No.	31,948

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Walter W. Duft	Date	April 7, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHARLES CALVIN BYERS

SERIAL NO.: 09/604,152

FILED: June 27, 2000

FOR: SYSTEM AND METHOD FOR
PROVIDING CONTROLLED
BROADBAND ACCESS BANDWIDTH

Group Art Unit: 2661

Examiner: Phirin Sam

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AND RESPONSE TO SECOND OFFICE ACTION

In response to the second Office Action mailed on January 7, 2005, Applicant hereby respectfully amends the subject application, as follows:

I hereby certify that this correspondence is being transmitted via facsimile in accordance with 37 CFR 1.6(d) and 1.8 to the United States Patent and Trademark Office, to the attention of Primary Examiner Phirin Sam of Group Art Unit 2661 at (703) 872-9306, on:

April 7, 2005
(Date)

Walter W. Duft
(Applicant, Assignee, Registered Representative)

[Signature]
(Signature)

April 7, 2005
(Date of Signature)

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